

## **REMARKS/ARGUMENTS**

Claims 1-7, 10-14, and 24-28 are pending in the present application. Claims 8-9 and 15-23 were previously canceled. Claims 1-3, 5-7, 10-14, and 24-27 are amended. Claim 28 is added herein. Support for the amendments and the added claim may be found at least in Applicants' Specification on page 1, lines 13-27, page 9, lines 23-27, page 11, lines 22-30, page 12, lines 1-4, page 14, lines 13-16, page 15, lines 13-23, page 16, lines 11-14, lines 15-30, page 17, lines 5-30, page 18, lines 19-24, page 18, lines 26-30, page 21, and lines 1-23. Reconsideration of the claims is respectfully requested.

Applicants have amended some claims and canceled others. Applicants do not concede that the subject matter encompassed by the earlier presented claims is not patentable over the art cited by the Examiner. Applicants canceled and amended claims in this response solely to facilitate expeditious prosecution of this application. Applicants traverse all rejections and respectfully reserve the right to pursue the earlier-presented claims, and additional claims, in one or more continuing applications.

### **I. Interview Summary**

On May 6, 2009, the Examiner and the undersigned attorney held a telephone interview to discuss the 35 U.S.C. § 103 rejection regarding claims 1-7, 10-14, and 24-27. An agreement was reached that the proposed amendments overcome the cited prior art.

### **II. 35 U.S.C. § 103: Asserted Obviousness**

The Examiner rejected claims 1-7, 11-14, and 24-27 under 35 U.S.C. § 103(a) as being obvious over Hassett et al., Utilization of Information “Push” Technology, U.S. Patent 6,807, 558 (dated October 19, 2004)(hereinafter “*Hassett*”) in view of Goodman et al., Architectures for Net Centric Computing Systems, U.S. Patent 7,020,697, (dated March 28, 2006)(hereinafter “*Goodman*”). This rejection is respectfully traversed.

Additionally, the Examiner rejected claim 10 under 35 U.S.C. § 103(a) as being obvious over Reed et al., Computer-Based Communication System and Method Using Metadata Defining A Control-Structure, U.S. 6,345,288 (dated February 5, 2002)(hereinafter “*Reed*”). This rejection is also respectfully traversed.

The Examiner bears the burden of establishing a *prima facie* case of obviousness based on prior art when rejecting claims under 35 U.S.C. § 103. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). The prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). In determining obviousness, the scope and content of the prior art are... determined; differences between the prior art and the claims at

issue are... ascertained; and the level of ordinary skill in the pertinent art resolved. Against this background the obviousness or non-obviousness of the subject matter is determined. *Graham v. John Deere Co.*, 383 U.S. 1 (1966). “Often, it will be necessary for a court to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue.” *KSR Int'l. Co. v. Teleflex, Inc.*, 127 S. Ct. 1727 (April 30, 2007). “Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. *Id.* (citing *In re Kahn*, 441 F.3d 977, 988 (CA Fed. 2006)).” In this case, the cited prior art fails to make the claimed invention obvious.

Applicants first address the 35 U.S.C. § 103 rejection with respect to amended claim 1. Amended claim 1 is as follows:

1. A computer implemented method of automatically reloading a page on a client computing device, the computer implemented method comprising:
  - storing the page on a server;
  - transmitting a copy of the page to a browser of the client computing device in response to a request from said browser received at said server, said copy of the page being transmitted to the browser over a network connecting the client computing device to the server;
  - responsive to receiving a real-time notification that the server is updating content of the page stored on the server, determining , by a message broker, whether a change message is to be communicated to the browser, based on a user selected list of network addresses for the client computing device registered with the message broker, wherein the user selected list of network addresses comprises a plurality of network addresses of pages to be automatically maintained in an updated form, wherein the user selected list of network addresses comprises a user selected subset of a list of bookmarks stored in said browser; and
  - transmitting the change message to said browser in real-time, by the message broker, in response to the message broker determining that a network address of the page is registered in the user selected list of network addresses for the client computing device, wherein the change message notifies the browser of a change in the content of the page, wherein said browser automatically requests a copy of the updated page, and wherein the page comprises a hidden applet, wherein the hidden applet is used to reload the page, responsive to receiving the change message.

**A. The cited prior art, as a combination, fails to teach or suggest, “responsive to receiving a real-time notification that the server is updating content of the page stored on the server, determining , by a message broker, whether a change message is to be communicated to the browser, based on a user selected list of network addresses for the client computing device registered with the message broker, wherein the user selected list of network addresses comprises a plurality of network addresses of pages to be automatically maintained in an updated form, wherein the user selected list of network addresses comprises a user selected subset of a list of bookmarks stored in said browser.”**

The combination of the cited prior art fails to teach or suggest all of the elements of amended claim 1. Specifically, the cited prior art fails to teach or suggest, “responsive to receiving a real-time notification that the server is updating content of the page stored on the server, determining , by a message broker, whether a change message is to be communicated to the *browser*, based on a user selected list of network addresses for the client computing device registered with the message broker, wherein the user selected list of network addresses comprises a plurality of network addresses of pages to be automatically maintained in an updated form, *wherein the user selected list of network addresses comprises a user selected subset of a list of bookmarks stored in said browser.*”

*Hassett* fails to teach or suggest, “wherein the user selected list of network addresses comprises a user selected subset of a list of bookmarks stored in said browser.” *Hassett* discloses the following:

Screen saver procedures for displaying news items and advertisements are invoked using the same types of criteria as are used by other types of screen saver procedures. Generally, whenever the system detects a lack of user inputs via either keyboard or pointer device (e.g., a mouse or trackball) for a user configurable or otherwise specified length of time (e.g., 5 minutes), the screen saver procedures of the present invention begin the display of news items and advertisements from the local information database. In the preferred embodiment, the screen saver procedures display news items and advertisements for a sequence of information categories in a sequence of 30 second time slots.

More specifically, under the control of the screen saver procedures, news stories and advertisement assigned to a first information category are displayed using a first display script for 30 seconds, then news stories and an advertisement assigned to a second information category are displayed using a second display script for the next 30 seconds, and so on until news stories and an advertisement have been displayed in all the information categories indicated in the subscriber's user profile 194 as being of interest to the subscriber, at which point the process repeats with the first information category.

*Hassett*, column 13, lines 1-24.

Here, *Hassett* discloses using a screen saver for displaying news items and advertisements. Further, this portion of *Hassett* discloses that the user may indicate which news items are of interest by selecting certain information categories for a user's profile. This method of displaying news items and advertisements is part of using the *Point Cast Network* as disclosed in *Hassett* (see column 2, lines 56-66). The Point Cast Network supplies news items and advertisements to subscribers of the Network, and locates them on the user's screensaver. However, *Hassett* does not teach or suggest "responsive to receiving a real-time notification that the server is updating content of the page stored on the server, determining , by a message broker, whether a change message is to be communicated to the *browser*, based on a user selected list of network addresses for the client computing device registered with the message broker, wherein the user selected list of network addresses comprises a plurality of network addresses of pages to be automatically maintained in an updated form, wherein the user selected list of network addresses comprises a user selected subset of a list of bookmarks stored in said browser."

*Hassett* does not teach or suggest that 1) the page that a user is updating is located on a *browser* or 2) that the page has a network address that is part of a user selected list of network addresses, which is a subset of a list of bookmarks stored in this browser. As previously stated, *Hassett* relates specifically to the Point Cast Network, which discloses subscribing to news items and advertisements that are displayed on a user's screensaver. However, this does not teach or suggest the listed element of amended claim 1. *Hassett* is entirely devoid of any teaching or suggestion of *creating and storing a list of bookmarks on a browser*. Further, *Hassett* makes no mention that the user also further specifies *a specific list of network addresses within the list of bookmarks* for automatic updating when a change in content occurs, responsive to receiving a real-time notification that the server is updating content of a page that is part of the user specific list. Thus, *Hassett* fails to teach or suggest all of the elements of amended claim 1.

*Goodman* fails to make up for *Hassett*'s deficiencies. *Goodman* recites as follows:

The first time a user requests a Web page, preferentially the web server **98** retrieves that page from the network and stores it temporarily in a cache (memory on the web server **98**). When another page or the same page is requested, the web server **98** first checks to see if the page is available in the cache. If the page is available, then the web server **98** retrieves it from the cache, otherwise it retrieves it from the network. Clearly, the web server **98** can retrieve the page from the cache more quickly than retrieving the page again from its location out on the network. The web server **98** typically provides an option to verify whether the page has been updated since the time it was placed in the cache, and if it has to get the latest update.

The push/pull services **302** are applications that allow for interest in a particular piece of information to be registered and then changes or new information to be communicated to the subscriber list. Traditional Internet users "surf" the web by actively moving from one web page to another, manually searching for content they want and "pulling" it back to the desktop via a graphical browser. But using the push model, on which subscription servers are

based, content providers can broadcast their information directly to individual user's desktops. The technology uses the Internet's strengths as a two-way conduit by allowing the user to specify the type of content they want to receive. Content providers then seek to package the requested information for automatic distribution to the user's personal computer.

*Goodman*, column 110, lines 33-60.

The above-cited portion of *Goodman* discloses the process of checking first in a cache to locate a stored web page, and then proceeding to pull from a web server, an updated copy of the web page, responsive to the web page no longer being available in cache. Further, the above-cited portion discloses push technology systems, allow for content providers to initiate providing items to a web page. However, *Goodman* does not teach or suggest "responsive to receiving a real-time notification that the server is updating content of the page stored on the server, determining , by a message broker, whether a change message is to be communicated to the *browser*, based on a user selected list of network addresses for the client computing device registered with the message broker, wherein the user selected list of network addresses comprises a plurality of network addresses of pages to be automatically maintained in an updated form, *wherein the user selected list of network addresses comprises a user selected subset of a list of bookmarks stored in said browser*," as in amended claim 1.

*Goodman* does not teach or suggest a method for automatically updating a stored list of pages on a browser. *Goodman* merely states that a user may retrieve an updated copy of the web page from the server. However, amended claim 1 recites a means for automatic updating of a user specific list of network addresses; thus the user does not have to provide positive action to initiate the automatic updating. Contrary to amended claim 1, *Goodman* does not teach or suggest storing a user specific list of network address that are automatically updated. Nor does *Goodman* teach or suggest communicating a change message to a *message broker*, and submitting this change message from the message broker to the browser. Thus, the combination of *Hassett* and *Goodman* fail to make amended claim 1 obvious since not all of the elements of amended claim 1 are taught or suggested.

Further, *Reed* does not teach or suggest, "responsive to receiving a real-time notification that the server is updating content of the page stored on the server, determining , by a message broker, whether a change message is to be communicated to the *browser*, based on a user selected list of network addresses for the client computing device registered with the message broker, wherein the user selected list of network addresses comprises a plurality of network addresses of pages to be automatically maintained in an updated form, *wherein the user selected list of network addresses comprises a user selected subset of a list of bookmarks stored in said browser*."

The Examiner cites to the following portion of *Reed*:

"Bookmarks" in a web browser program can facilitate subsequent access to a particular web page to determine if new information is present. However, if the web page referenced by the bookmark is removed, the bookmark is no longer valid. Bookmark polling programs, such as Smart Bookmarks from First Floor, Inc., can also be used to determine whether a web page has changed since the last time the consumer viewed it. In addition, Smart Bookmarks can examine a changed page and automatically transfer to the consumer a text string embedded by the author of the page informing the consumer of the nature of the change. However, Smart Bookmarks' capability is limited to single text strings on single web pages. Therefore the consumer must locate and bookmark every Web page of interest. Smart Bookmarks does not provide a way for the consumer to filter the update messages, nor does it provide the consumer with any mechanism for exchanging structured information or managing a communications relationship with the provider.

*Reed*, column 4, lines 10-27.

Here, *Reed* discloses in the "Description of Related Art" portion of *Reed*'s application, that a software exists called "Smart Bookmarks", which is a bookmark polling program. "Smart Bookmarks" examines a page to see whether the page has changed and sends a single text string with information to an interested user about the nature of the change. However, this method does not teach or suggest the listed element of amended claim 1. *Reed* does not teach or suggest *automatic updating of the page with the actual changed content*. Instead, in *Reed*, the user receives *a text string regarding the nature* of the change, but the page is not automatically updated at any point responsive to being a page that is included in a user specific list of network addresses. Further, *Reed* does not either explicitly or implicitly teach or suggest that the user specific list of network addresses is a subset of a list of bookmarks stored in the browser. Based on the deficiencies of the cited prior art, both individually and as a combination, one of ordinary skill in the art would not have a reason to combine anything in the cited prior art to achieve the claimed limitations of amended claim 1.

**B. The combination of the cited prior art, fails to teach or suggest, "transmitting the change message to said browser in real-time, by the message broker, in response to the message broker determining that a network address of the page is registered in the user selected list of network addresses for the client computing device, wherein the change message notifies the browser of a change in the content of the page, wherein said browser automatically requests a copy of the updated page, and wherein the page comprises a hidden applet, wherein the hidden applet is used to reload the page, responsive to receiving the change message."**

The combination of the cited prior art fails to teach or suggest, the listed element of amended claim 1. As previously discussed, *Hassett* is entirely devoid of a user selected list of network addresses stored on a browser. Thus, *Hassett* does not teach or suggest, “transmitting a change message to the browser”, whereby the page that is updated responsive to the change message, contains a *hidden applet* used to reload the page. *Hassett* does not teach or suggest this element of amended claim 1.

Further, *Goodman* does not teach or suggest this feature. *Goodman*, as previously discussed, generally discloses retrieving an updated copy of a web page from a web server when the copy is not available in cache. *Goodman* does not teach or suggest *a user selected list of network addresses that are a subset of a list of bookmarks stored on the browser*. *Goodman* is also entirely devoid of any teaching or suggestion of a hidden applet included in a web page, wherein the hidden applet is used to reload the page, responsive to receiving the change message. Thus, *Goodman* does not teach or suggest the listed element of amended claim 1.

Additionally, *Reed* does not teach or suggest the listed element of amended claim 1. As previously discussed, the portion cited by the Examiner from *Reed* discloses a software program entitled “Smart Bookmarks”. “Smart Bookmarks” is a bookmark polling program that provides a text string to a consumer from the author of a web page of interest to the consumer that the web page had changed and the nature of the change. However, as previously discussed, “Smart Bookmarks” does not teach or suggest how to automatically update the web page without requiring positive action from the user. On the contrary, using “Smart Bookmarks,” the user must go to the web page and reload or store in the update format. Thus, *Reed* clearly does not teach or suggest the listed element of amended claim 1 regarding, “transmitting the change message to said browser in real-time, by the message broker, in response to the message broker determining that a network address of the page is registered in the user selected list of network addresses for the client computing device, wherein the change message notifies the browser of a change in the content of the page, wherein said browser automatically requests a copy of the updated page, and wherein the page comprises a hidden applet, wherein the hidden applet is used to reload the page, responsive to receiving the change message.” *Reed* is entirely absent any teaching or suggestion of utilizing a hidden applet embedded in the web page stored on the browser to update the web page, responsive to receiving a change message.

Due to the large differences between the cited prior art and the claimed invention, one of ordinary skill in the art would not have a rational reason as provided by the cited prior art to achieve the present limitations of amended claim 1. Indeed, the cited prior art fails to teach or suggest all of the elements of amended claim 1, and thus fails to make amended claim 1 obvious.

### **III. Remaining Claims**

Claims 27 and 28 are independent claims that recite similar subject matter to claim 1. For the reasons cited above, claims 27 and 28 are also non-obvious over the cited prior art.

Claims 2-7, 10-14, and 24-26 depend on claim 1. By virtue of their dependency, claims 2-7, 10-14, and 24-26 are also non-obvious over the cited prior art. Furthermore, claims 2-7, 10-14, and 24-26 recite combinations of features not taught or suggested in the cited prior art. For example, claim 14 recites, “wherein the content comprises user specific data from a user’s account, wherein the user specific data is provided from a private network connected to the server.” The cited prior art entirely fails to teach or suggest reloading content comprising user specific data from a user’s account. Therefore, due to all the reasons cited above, the 35 U.S.C. § 103 rejection regarding claims 1-7, 10-14, and 24-28 has been overcome.

### **IV. Conclusion**

It is respectfully urged that the subject application is patentable over the cited prior art and is now in condition for allowance. The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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